## **DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 10, Sandhill District, Marshall County, West Virginia)

The undersigned hereby declares:

- (1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.
- (2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lie(s) under the surface of lands described in Exhibit A attached hereto and made a part hereof.
- (3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY
McELROY COAL COMPANY
CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC. 1000 CONSOL ENERGY DRIVE CANONSBURG, PA 15317-6506

| IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporatio               | n, has caused its |
|--|-------------------|
| corporate name to be subscribed hereto this $\frac{18}{12}$ day of $\frac{11}{12}$ | , 2011, by        |
| William Gillenwater, its Assistant Manager, by authority duly given.               |                   |

Jan Pest
MARSHALL County 10:09:54 AM
Instrument No 1305133
Date Recorded 05/24/2011
Document Type 0&G
Pages Recorded 6
Book-Page 733-451
Recording Fee \$6.00
Additional \$6.00

CONRHEIN COAL COMPANY a Pennsylvania corporation:

Its: Assistant Manager

| IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its           |
|--|
| corporate name to be subscribed hereto this $18$ day of $\mu \mu \gamma$ 2011, by                |
| William Gillenwater, its Vice President, by authority duly given.                                |
| CONSOLIDATION COAL COMPANY   |
| a Delaware corporation:  |
| By: William Willman  |
| Its: Vice President  |
| IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability           |
| company, has caused its corporate name to be subscribed hereto this $18$ day of $\mu \mu \gamma$ |
| 2011, by William Gillenwater, its Vice President, by authority duly given/                       |
| CONSOL PENNSYLVANIA COAL COMPANY LLC a Delaware limited liability company:                       |
| By: William XIMmanl  |
| Its: Vice President  |
|  |
| IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused          |
| its corporate name to be subscribed hereto this $18$ day of $MAY$ , 2011, by                     |
| William Gillenwater, its Vice President, by authority duly given.                                |
| <i>,</i>   |
| RESERVE COAL PROPERTIES COMPANY  |
| a Delaware corporation:  |
| By: William Colombia   |
| Its: Vice President  |

| IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its  |
|---|
| corporate name to be subscribed hereto this 18 day of UAY, 2011, by   |
| William Gillenwater, its Vice President, by authority duly given.   |
|   |
| MCELROY COAL COMPANY  |
| a Delaware corporation:   |
| By: W/M/m X Jellman of  |
| Its: Vice President   |
| IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its   |
| corporate name to be subscribed hereto this 1 day of MAY, 2011, by  |
| William Gillenwater, its Vice President, by authority duly given.   |
| $\gamma$  |
| CNX LAND RESOURCES ING.   |
| a Delaware corporation:   |
| 11/11/- ( ) 4/1/-   |
| By: Wymar / Johnson   |
| Its: Vice President   |
|   |
| NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A <u>GRANTOR</u> , AND (2 UNDER THE NAMES OF EACH OF THE INDIVIDUAL <u>SURFACE OWNER NAMES</u> LISTED ON THE ATTACHED EXHIBIT A AS <u>GRANTORS</u> , ACCORDING TO LAST NAME AND/OR ENTITY NAME. |
| COMMONWEALTH OF PENNSYLVANIA  |
| COUNTY OF WASHINGTON  |
|   |
| Before me, <b>JANE M. YOUNG</b> , a Notary Public, on this day  |
| personally appeared William Gillenwater, known to me to be the person whose name is subscribed to   |
| the foregoing instrument, and known to be the Assistant Manager of CONRHEIN COAL COMPANY, a   |
| PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this  |
| day of, 2011, 2011.   |
| an myaing   |
| COMMONWEALTH OF PENNSYLVANIA Notary Fublic  |
| Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2013  Member, Pennsylvania Association of Notaries  |

| COMMONWEALTH OF PENNSYLVANIA  |     |
|---|-----|
| COUNTY OFWASHINGTON   |     |
| JANE M. YOUNG   |     |
| Before me,, a Notary Public, on this d  | зу  |
| Before me,, a Notary Public, on this depersonally appeared <b>William Gillenwater</b> , known to me to be the person whose name is subscribed | to  |
| the foregoing instrument, and known to be the Vice President of CONSOLIDATION COAL COMPANY,   |     |
| DELAWARE corporation, and acknowledged to me that he executed said instrument for the purpos  |     |
| therein expressed as the act of said company. Given under my hand and seal of office the  |     |
| 18 day of MAY , 2011.   |     |
|   |     |
| (SEAL)  |     |
| COMMONWEALTH OF PENNSYLVANIA (MAIL V) A LALL A C  |     |
| Jane M. Young, Notary Puche Notary Public   |     |
| A Machinetti (2001)   |     |
| My Commission Expires June 20, 2010   |     |
| Member, Pennsylvania Association of Notaries My Commission expires  |     |
|   |     |
| COMMONWEALTH OF PENNSYLVANIA  |     |
| COUNTY OF WASHINGTON  |     |
| COUNTY OF   |     |
|   |     |
| Before me,  | ąγ  |
| personally appeared William Gillenwater, known to me to be the person whose name is subscribed  |     |
| the foregoing instrument, and known to be the Vice President of CONSOL PENNSYLVANIA CO  |     |
| COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed sa   |     |
| instrument for the purposes therein expressed as the act of said company. Given under my hand ar  |     |
| seal of office this day of, 2011.   | . • |
|   |     |
| COMMONWEALTH OF PENNSYLVANIA  |     |
| Jane M. Young, Notary Public  |     |
| Cecil Two., Washington County   |     |
| My Commission Expires June 20, 2013  Member, Pennsylvania Association of Notaries   |     |
|   |     |
| My Commission expires   |     |
|   |     |
| COMMONWEALTH OF PENNSYLVANIA  |     |
| WASHINGTON  |     |
| COUNTY OF   |     |
| Before me,JANE M. YOUNG, a Notary Public, on this da  | ıy  |
| personally appeared William Gillenwater, known to me to be the person whose name is subscribed  | •   |
| the foregoing instrument, and known to be the Vice President of RESERVE COAL PROPERTIES COMPAN  |     |
| a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purpose   |     |
| therein, expressed as the act of said company. Given under my hand and seal of office the   |     |
| day of $MAV$ , 2011.  |     |
|   |     |
| COMMONWEALTH OF PENNSYLVANIA ALL WILLIAM  |     |
| Jane M. Young, Notary Public Notary Public  |     |
| Cecil I Wp., Washington Courts  |     |
| Wy Commission Expires June 20, 2013   |     |
| Member, Pennsylvania Association of Notaries My Commission expires  |     |

| ••••       | WEALTH OF PENNS  | . =  |                            |                                |
|------------|--|--|----------------------------|--------------------------------|
| COUNTY     | WASHINGTO  | N  |                            |                                |
|            | Before me, _   | JANE M. YOU  | ING                        | , a Notary Public, on this d   |
| personally |  |  |                            | rson whose name is subscribed  |
| _          |  |  |                            | of MCELROY COAL COMPANY,       |
|            |  | _  |                            | said instrument for the purpos |
|            |  | ct of said company.  | Given under m              | ny hand and seal of office th  |
| (SEAL)     | COMMONWEALTH OF  Notarial S  Jane M. Young, No Cecil Twp., Washin My Commission Expire  Member, Pennsylvania Ass | sel<br>stary Public<br>aton County   | Notary Publication expires | (                              |
| COMMON     | WEALTH OF PENNS<br>WASHINGTO   | CLVANIA  |                            |                                |
|            | Before me, _   | JANE M. YOU  | JNG                        | , a Notary Public, on this d   |
| personally | appeared William   | <b>Gillenwater</b> , known to  | me to be the per           | rson whose name is subscribed  |
| _          | _  |  |                            | f CNX LAND RESOURCES INC.,     |
|            |  | •  |                            | said instrument for the purpos |
| therein e  |  |  | Given under m              | ny hand and seal of office th  |
|            | day of <i>M</i> <sub>2</sub>   | 2011.  |                            |                                |
| (SEAL)     | Notar<br>Jane W. Youn  | Of FETINCYLVANIA  Jer Seal  9. Notary Public  Shinkfon County  Tribes Inc. 20 2013 | Notary Public              | myang                          |

This Document Prepared By: Andrew S. Graham WV Bar No. 9664 Steptoe & Johnson PLLC 1085 Van Voorhis Road PO BOX 1616 Morgantown, WV 26507 (304) 598-8000

## EXHIBIT A - SURFACE TRACTS (MCELROY MINE)

Tax Map 10, Sandhill District, Marshall County, West Virginia

|         |          |                            |                          | ray iylap 10, Sandinin District, iylarshall County, West virginia | , marshan County, | 14 251 41 | gilla |                                 |            |
|---------|----------|----------------------------|--------------------------|---|-------------------|-----------|-------|---------------------------------|------------|
| Tax Map |          | Parcel Last Name           | First Name               | Street Address  | City              | State     | Zip   | Assessment Description          | Reference  |
| 10      | 1.1      | Consolidation Coal Company | Coal Company             | 1000 Consol Energy Drive  | Canonsburg        | PA        | 15317 | 7 A & 1.019 A Wheeling Creek    | DB 544/131 |
| 10      | 1.2      | Groskopf                   | Olive P.                 | PO Box 2221   | Wheeling          | WV        | 26003 | 85.431 A Wheeling Creek         | WB 75/96   |
| 10      | 2        | Meadow Lake                | Meadow Lake Club Company | 40 14th St., Suite 400  | Wheeling          | WV        | 26003 | 139.936 A Big Wheeling Creek    | DB 183/573 |
| 10      | 3        | Meadow Lake Club Company   | Club Company             | 40 14th St., Suite 400  | Wheeling          | WV        | 26003 | 6.94 E Stieman                  | DB 437/323 |
| 10      | 4        | Wilson                     | Clifford, et al.         | 16 Archibald Avenue   | Wheeling          | WV        | 26003 | 92.156 A Wheeling Creek & OG    | WB 25/371  |
| 10      | 4.1      | Wilson                     | Philip C., et al.        | RD 6 Box 279  | Wheeling          | WV        | 26003 | 5.674 Wheeling Creek            | WB 67/238  |
| 10      | 4.<br>4. | Wilson                     | Judy A.                  | 16 Archibald Avenue   | Wheeling          | WV        | 26003 | 6.626 A Wheeling Creek & OG     | DB 588/541 |
| 10      | 7        | Merinar                    | Calvin C. (Life Estate)  | RR 3 Box 172  | Wheeling          | WV        | 26003 | 13.40 Wheeling Creek & OG & CBM | DB 551/571 |
| 10      | 8        | Hickey                     | Glenn M.                 | Route 3 Box 171   | Wheeling          | WV        | 26003 | 87.098 A Wheeling Creek & OG    | DB 645/300 |
| 10      | 6        | Merinar                    | Kenneth Lee, et al.      | 610 Schrader Avenue   | Wheeling          | WV        | 26003 | 90.087 A Wheeling Creek & OG    | DB 671/238 |

## STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 1871 day of 1972, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 2711 day of 1972, at 1999 o'clock M.